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Date: November 13, 2003
To: Examiner Marianne Allen, Art Unit 1631
U.S. Patent and Trademark Office
Fax: 703-305-3014
From: Donna Macedo, Assistant to Bret Field
Docket No.
Your Ref: U.S. Patent Application No. 09/775,387
Re: Notice of Appeal

Message:

Please feel free to contact me if you have questions.

Please acknowledge receipt via return facsimile. Thank you.

Total including cover 4 pages

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

PATENT APPLICATION
ATTORNEY DOCKET NO. 10010009-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Herbert F. Cattell

Serial No.: 09/775,387

Examiner: Marianne Allen

Filing Date: 01-31-2001

Group Art Unit: 1631

Title: CHEMICAL ARRAY FABRICATION AND USE

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 07-16-03, rejecting the following claims 1-13, 15-23, 25-33, 37-45.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$330.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(5) for

| | |
|------------------|-----------|
| () one month | \$110.00 |
| () two months | \$420.00 |
| () three months | \$950.00 |
| () four months | \$1480.00 |

Handwritten: @ filed 11/13/03
Appeal Brief 01/13/04
CD 06/13/04

() The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-1078** the sum of \$330.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

(X) A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on:

Respectfully submitted,

Herbert F. Cattell

Date of facsimile: 703-305-3014

Typed Name: Donna Macedo

Signature: *[Handwritten Signature]*

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By

Bret Field for Gordon Stewart

Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 11-13-03

* * * Transmission Result Report (Immediate TX) (Nov.13. 2003 3:28PM) * * *

1) Bozicevic Field & Francis LLP
2) 650 327 3231

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| Nov.13. | 3:27PM | USPTO | G3TED | 0'54" | P. | 2 OK | | 29 |

FAXED
01/13/03

: Batch
M : Memory
S : Standard
V : Reduction

C : Confidential
L : Send later
D : Detail
H : Stored/D.Server

\$: Transfer
@ : Forwarding
F : Fine
* : PC Fax

P : Polling
E : ECM
U : Super Fine

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